

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF PENNSYLVANIA

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B.L., a minor, by *
her father, *
LAWRENCE LEVY, * Case No.
and her mother, * 3:17-CV-1734
BETTY LOU LEVY, *
Plaintiffs *
vs. *
MAHANOEY AREA *
SCHOOL DISTRICT, *
Defendant *

* * * * *

DEPOSITION OF
BETTY LOU LEVY
October 24, 2018

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EXHIBIT

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1 A. No.

2 Q. Did you ever work for any
3 colleges or universities?

4 A. No.

5 Q. Do you have any expertise in
6 college admissions?

7 A. No.

8 Q. Tell me all the ways that the
9 school district's exclusion from ---
10 of B.L. from cheerleading last year,
11 affected her?

12 A. Can you rephrase that?

13 Q. Sure.

14 You were told by B.L., that she
15 was removed from the cheerleading
16 squad.

17 Right?

18 A. Correct.

19 Q. Did it have any affect on her?

20 A. Well, absolutely. She was
21 upset.

22 Q. All right.

23 And how do you know she was
24 upset?

25 A. She called me crying.

1 Q. All right.

2 Any other way?

3 A. I don't know. I don't know.

4 Q. Other than being upset when she
5 called you crying, are you aware of
6 any other way that her removal from
7 the cheerleading squad affected her?

8 A. Well, she was upset about it.

9 Q. Okay.

10 And how long was she upset
11 about it?

12 A. Quite a while.

13 Q. And when you say quite a while,
14 can you give me an estimate of the
15 amount of time that she was upset?

16 A. A few weeks.

17 Q. And did she need any medical
18 attention as a result of being upset
19 about it?

20 A. No.

21 Q. Did she need any therapy as a
22 result of getting upset about it?

23 A. No.

24 Q. Did her grades go down as a
25 result of being taken out of

1 cheerleading?

2 A. No.

3 Q. And B.L., tried out for the
4 varsity squad this year.

5 Is that correct?

6 A. Correct.

7 Q. And this year is the 2018-19
8 school year.

9 When would tryouts have been
10 for the school year? Do you know?

11 A. The end of May of last year ---
12 or the end of the school year.

13 Q. Of --- and when you say last
14 year, you're talking about last school
15 year?

16 A. Correct.

17 Q. So that would have been May
18 2018?

19 A. Correct.

20 Q. And do you know who the judges
21 were?

22 A. No idea.

23 Q. Did you go to the tryouts?

24 A. No. We are not allowed.

25 Q. Do you know how many girls

1 Q. Well, how do you take it?

2 A. I take it she was just a
3 teenage girl expressing her --- her
4 opinion. She was upset. She was mad.
5 So that was the way she expressed it.

6 Q. Do you think the school
7 district has the right to teach
8 students about respect?

9 A. Fully.

10 ATTORNEY HELPER:

11 Object to form, but you
12 can answer.

13 THE WITNESS:

14 Sorry.

15 BY ATTORNEY LEVIN:

16 Q. Do you think school districts
17 have the right to impose rules dealing
18 with respect?

19 ATTORNEY HELPER:

20 Same objection.

21 You can answer.

22 THE WITNESS:

23 Do I think ---? Can you
24 repeat that question?

25 BY ATTORNEY LEVIN:

1 Q. Sure.

2 Do you think school districts
3 have the right as part of their
4 teaching of respect, to have rules
5 related to respect?

6 ATTORNEY HELPER:

7 Same objection.

8 You can answer.

9 THE WITNESS:

10 Sure.

11 BY ATTORNEY LEVIN:

12 Q. Did you or your husband
13 discipline B.L. for posting the Snap?

14 A. I cannot speak for my husband.
15 Did I discipline her? No.

16 Q. Well, are you aware whether he
17 disciplined her or not?

18 A. You would have to ask him that.

19 Q. Why did you not discipline her?

20 A. I cannot think ---. Well,
21 because ---. I didn't discipline her
22 because obviously there was some ---
23 she doesn't speak like this on a daily
24 basis. This isn't how she speaks.

25 Q. When you say this, you're

1 talking about ---

2 A. The F-word.

3 Q. --- what is reflected in the
4 Snap?

5 A. Correct.

6 She doesn't talk like that. So
7 obviously there was a problem
8 somewhere. So you're going to sit her
9 down. You're going to talk to her and
10 ask her what the problem is.

11 Q. Did you do that?

12 A. Absolutely.

13 Q. What did you say to her and
14 what did she say to you?

15 A. I asked her what --- you know,
16 what was wrong. Why she did it.

17 Q. And what did she say?

18 A. She was upset. She was having
19 a bad week. Said that everybody had a
20 bad week, mom.

21 Q. Did she tell you what she was
22 upset about?

23 A. About not making the
24 cheerleading squad.

25 Q. You mean not making varsity?

1 A. Well, not making varsity.

2 Sorry.

3 Correct.

4 Q. Did she say anything else about
5 what she was upset about?

6 A. It was, I guess, final week.
7 So she was stressed studying for all
8 that.

9 Q. Anything else that she said?

10 A. Not that I remember.

11 Q. Okay.

12 And how did you respond to her?

13 A. I don't remember exactly how I
14 responded.

15 Q. Well, approximately, how did
16 you respond? I don't need to know
17 exact.

18 A. We sat her down. Well, we
19 talked and you know, we did tell her
20 that, you know, that's the wrong thing
21 to do. We don't speak like that. She
22 said she didn't mean to hurt anybody
23 by it. She didn't mean anything by
24 it. She was just leaving out
25 frustration.

1 marked for
2 identification.)

3 ---

4 BY ATTORNEY LEVIN:

5 Q. That's an application for
6 cheerleading with your daughter's
7 name, and home address and things like
8 that are redacted.

9 Do you remember signing that?

10 A. Yep. Uh-huh (yes).

11 Q. Is that your signature?

12 A. It is.

13 Q. And you signed that on April
14 27, 2017?

15 A. Correct.

16 Q. And did you read the document
17 before you signed it?

18 A. Yes.

19 Q. Did you understand the document
20 before you signed it?

21 A. Yes.

22 Q. In the bottom of the page, it
23 talks about extracurricular
24 activities. And if I'm reading that
25 correctly, it says interact club?